

**Counsel Listed On Signature Block**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ELECTROGRAPH SYSTEMS, INC., et al.

Plaintiffs,

v.

HITACHI, LTD., et al.

Defendants.

Case No. 07-5944 SC

MDL No. 1917

**STIPULATION AND [PROPOSED]  
ORDER REGARDING SERVICE OF  
COMPLAINT AND APPLICABILITY  
OF PRIOR DISCOVERY ORDERS**

1 IT IS HEREBY STIPULATED AND AGREED by and between counsel for  
2 Plaintiffs Electrograph Systems, Inc. and Electrograph Technologies Corp. (collectively,  
3 "Electrograph") and the undersigned Defendants, as follows:

4 1. The undersigned Defendants waive service of Electrograph's  
5 complaint under Federal Rule of Civil Procedure 4(d). Those undersigned Defendants  
6 who reside in foreign countries that are signatories to the Hague Convention shall be  
7 deemed served as provided for by that Convention. Defendants preserve all other defenses  
8 under Federal Rule of Civil Procedure 12.

9 2. The undersigned Defendants shall respond to Electrograph's  
10 complaint within sixty (60) days from the date on which this stipulation is entered as an  
11 order of the Court.

12 3. Electrograph shall be bound by and comply with all orders and  
13 protocols governing discovery and procedure entered to date in the proceeding *In re*  
14 *Cathode Ray Tube (CRT) Antitrust Litigation*, Case No. 07-5944 SC, MDL No. 1917,  
15 except for scheduling requirements for dates already past, including but not limited to (a)  
16 the Stipulated Protective Order, Docket No. 306, filed June 18, 2008; (b) the Stipulation  
17 and Order to Extend Limited Discovery Stay, Docket No. 798, filed October 27, 2010; and  
18 (c) the Stipulation And Order Regarding The Production of Electronically Stored  
19 Information, Docket No. 828, ordered December 16, 2010.

20 4. An objection made by any Defendant at any deposition is deemed an  
21 objection by all Defendants, and an objection made by any Plaintiff at any deposition is  
22 deemed an objection by Electrograph.

23 5. All discovery previously produced by the undersigned Defendants in  
24 the proceeding *In re Cathode Ray Tube (CRT) Antitrust Litigation*, Case No. 07-5944 SC,  
25 MDL No. 1917 shall be deemed produced in this action. Electrograph shall seek copies of  
26 the discovery responses and documents previously produced by Defendants from  
27 Plaintiffs' interim lead counsel. Should Plaintiffs' interim lead counsel not provide  
28

1 Electrograph with the previously-produced discovery responses and documents within  
2 twenty (20) days of Electrograph's request, they will be provided to Electrograph by  
3 Defendants. Electrograph retains the right to propound additional discovery on  
4 Defendants. In responding to any additional discovery propounded by Electrograph,  
5 Defendants may refer to their prior discovery responses or document productions to the  
6 extent they are responsive to Electrograph's discovery requests. Defendants preserve all  
7 previously lodged objections to the production, use, or admissibility of any documents,  
8 information, or other materials sought in discovery. Any Defendant's objection to the  
9 admissibility or use of any document by any party shall apply equally to an attempt by  
10 Electrograph to admit or use that document.

11           6.     The undersigned Defendants and Electrograph agree to waive the  
12 production of initial disclosures in this action.

13           7.     The undersigned parties jointly and respectfully request that the Court  
14 enter this stipulation as an order.

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16  
17 Dated: May 24, 2011

18 By: /s/ Philip J. Iovieno  
19 PHILIP J. IOVIENTO (*pro hac vice*)  
20 Email: piovieno@bsflp.com  
21 ANNE M. NARDACCI  
22 Email: anardacci@bsflp.com  
23 BENJAMIN D. BATTLES  
24 Email: bbattles@bsflp.com  
25 **BOIES, SCHILLER & FLEXNER LLP**  
26 10 North Pearl Street, 4th Floor  
27 Albany, New York 12207  
28 Telephone: (518) 434-0600  
Facsimile: (518) 434-0665  
*Attorneys for Plaintiffs*  
*Electrograph Systems, Inc., and*  
*Electrograph Technologies, Corp.*

1 By: /s/ Gary L. Halling  
2 GARY L. HALLING (SBN 66087)  
3 Email: ghalling@sheppardmullin.com  
4 JAMES L. MCGINNIS (SBN 95788)  
5 Email: jmcginnis@sheppardmullin.com  
6 MICHAEL SCARBOROUGH (SBN 203524)  
7 Email: mscarborough@sheppardmullin.com  
8 **SHEPPARD, MULLIN, RICHTER &**  
9 **HAMPTON LLP**  
10 Four Embarcadero Center, 17th Floor  
11 San Francisco, California 94111-4109  
12 Telephone: 415-434-9100  
13 Facsimile: 415-434-3947

14 *Attorneys for Defendants*  
15 *Samsung SDI America, Inc.,*  
16 *Samsung SDI Co., Ltd.,*  
17 *Samsung SDI (Malaysia) Sdn. Bhd.,*  
18 *Samsung SDI Mexico S.A. de C.V.,*  
19 *Samsung SDI Brasil Ltda.,*  
20 *Shenzhen Samsung SDI Co., Ltd., and*  
21 *Tianjin Samsung SDI Co., Ltd.,*

22 By: /s/ David L. Yohai  
23 STEVEN A. REISS (*pro hac vice*)  
24 Email: steven.reiss@weil.com  
25 DAVID L. YOHAI (*pro hac vice*)  
26 Email: david.yohai@weil.com  
27 DAVID E. YOLKUT (*pro hac vice*)  
28 Email: david.yolkut@weil.com  
**WEIL, GOTSHAL & MANGES LLP**  
767 Fifth Avenue  
New York, New York 10153-0119  
Telephone: (212) 310-8000  
Facsimile: (212) 310-8007

GREGORY D. HULL (SBN 57367)  
Email: greg.hull@weil.com  
**WEIL, GOTSHAL & MANGES LLP**  
201 Redwood Shores Parkway  
Redwood Shores, California 94065-1175  
Telephone: (650) 802-3000

Facsimile: (650) 802-3100  
JEFFREY L. KESSLER (*pro hac vice*)  
Email: jkessler@dl.com  
A. PAUL VICTOR (*pro hac vice*)  
Email: pvictor@dl.com  
EVA W. COLE (*pro hac vice*)  
Email: ecole@dl.com  
**DEWEY & LEBOEUF LLP**  
1301 Avenue of the Americas  
New York, NY 10019  
Telephone: (212) 259-8000  
Facsimile: (212) 259-7013

*Attorneys for Defendants Panasonic Corporation of North America, MT Picture Display Co., Ltd., and Panasonic Corporation (f/k/a Matsushita Electric Industrial Co., Ltd.)*

By: /s/ Ian Simmons  
IAN SIMMONS (*pro hac vice*)  
Email: isimmons@omm.com  
BEN BRADSHAW (SBN 189925)  
Email: bbradshaw@omm.com  
**O'MELVENY & MYERS LLP**  
1625 Eye Street, NW  
Washington, DC 20006  
Telephone: (202) 383-5300  
Facsimile: (202) 383-5414

*Attorneys for Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.*

By: /s/ Kent M. Roger  
KENT M. ROGER (SBN 95987)  
Email: kroger@morganlewis.com  
MICHELLE PARK CHIU (SBN 248421)  
Email: mchiu@morganlewis.com  
**MORGAN, LEWIS & BOCKIUS LLP**  
One Market, Spear Street Tower  
San Francisco, CA 94105-1126

-4-

Telephone: (415) 442-1000

Facsimile: (415) 442-1001

*Attorneys for Defendants Hitachi, Ltd., Hitachi Asia, Ltd., Hitachi America, Ltd., Hitachi Electronic Devices (USA), Inc. and Hitachi Displays, Ltd.*

By: /s/ Ronald C. Redcay

RONALD C. REDCAY (SBN 67236)

Email: ronald.redcay@aporter.com

**ARNOLD & PORTER LLP**

777 South Figueroa Street, Forty-Fourth Floor  
Los Angeles, California 90017-5844

Telephone: 213.243.4000

Facsimile: 213.243.4199

SAMUEL R. MILLER (SBN 66871)

Email: srmiller@sidley.com

MARIE L. FIALA (SBN 79676)

Email: mfiala@sidley.com

RYAN M. SANDROCK (SBN 251781)

Email: rsandrock@sidley.com

ROBERT B. MARTIN, III (SBN 235489)

Email: rbmartin@sidley.com

**SIDLEY AUSTIN LLP**

555 California Street, 20th Floor

San Francisco, California 94104

Telephone: (415) 772-1200

Facsimile: (415) 772-7400

*Attorneys for Defendants LG Electronics, Inc., LG Electronics USA, Inc. and LG Electronics Taiwan Taipei Co., Ltd.*

By: /s/ Christopher M. Curran

CHRISTOPHER M. CURRAN (*pro hac vice*)

Email: ccurran@whitecase.com

GEORGE L. PAUL (*pro hac vice*)

Email: gpaul@whitecase.com

LUCIUS B. LAU (*pro hac vice*)

Email: alau@whitecase.com

**WHITE & CASE LLP**

701 Thirteenth Street, N.W.

Washington, DC 20005

Telephone: (202) 626-3600

Facsimile: (202) 639-9355

*Attorneys for Defendants Toshiba Corporation,  
Toshiba America Electronic Components, Inc.,  
Toshiba America Information Systems, Inc.,  
Toshiba America, Inc., Toshiba America  
Consumer Products, L.L.C., Toshiba America  
Consumer Products, Inc., and Toshiba Display  
Devices (Thailand) Company, Ltd.*

By: /s/ Andreas Stargard  
JOHN M. TALADAY (*pro hac vice*)  
Email: john.taladay@bakerbotts.com  
ANDREAS STARGARD (*pro hac vice*)  
Email: andreas.stargard@bakerbotts.com  
**BAKER BOTTS LLP**  
1299 Pennsylvania Avenue, NW  
Washington D.C. 2004-2400  
Telephone: (202) 639-7700  
Facsimile: (202) 639-7890

*Attorneys for Defendants Koninklijke Philips  
Electronics N.V. and Philips Electronics North  
America Corporation*

By: /s/ Terry Calvani  
TERRY CALVANI (*pro hac vice*)  
Email: terry.calvani@freshfields.com  
**FRESHFIELDS BRUCKHAUS DERINGER  
US LLP**  
701 Pennsylvania Ave NW Suite 1600  
Washington D.C. 20004-2692  
Telephone: (202) 777-4500  
Facsimile: (202) 777-4555

*Attorneys for Beijing-Matsushita Color CRT  
Company, Ltd.*

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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3 DATED: May 25, 2011

Charles A. Legge

Hon. Charles A. Legge  
United States District Judge (Ret.)  
Special Master

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6  
7 DATED: 5/26/11

